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ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM: *C*
AGC/DDD
2 E 14

EXTENSION
9309

NO.
DATE
8 May 1979

TO: (Officer designation, room number, and building)

DATE
RECEIVED FORWARDED

OFFICER'S
INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1. C/IAD/CAS/SOB
~~Attn: Ed Ferguson~~

Ed:

I apologize for the delay in providing a written response to you. As I mentioned to you last month, I had assumed that the oral response given to you was sufficient. The misunderstanding was mine and I apologize.



C/SOB:

I talked to Don Peterson. He says FBIS will work with us to see if we have any basis for collaboration here. Thought include JPRS sponsorship of Dyanamic translations. This obviates the legal hassle. Will need to do some systematic work to see what papers/radio are now screened by FBIS and what is covered by the Dnamics. What overlap? Underlap? Do the pubs that the Dynamics cover have relevance? If we found that they could supplement our effort in a meaningful way there is precedent for a subcontract. Most of the time such subcontracts involve people rather than organizations. At any rate, *C* should contact *C* (FBIS SE Div Cf) and follow-up. *C*

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CENTRAL INTELLIGENCE AGENCY
SOURCE METHOD EXEMPTION 3B2B
NAZI WAR CRIMES DISCLOSURE ACT
DATE 2007

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OGC/DDO# 7900911

8 May 1979

MEMORANDUM FOR: C/IAD/CAS

FROM : Anthony E. Goldin
Assistant General Counsel (DDO)

SUBJECT : Publication of English Language Press
Summary from the Ukranian Press

REFERENCE : Memorandum For OGC From IAD/CAS,
dated 22 December 1978, Same Subject

1. In referent memorandum you indicated that a special activity funded by you and headquartered in New York City has the capability of publishing an English language press summary containing items from the Ukranian press in the USSR. You indicated that the translated press summary would be offered in the United States to the U.S. academic community. Secondary customers for the press summary would be Canadian and British academicians. You have asked whether it is permissible to undertake this activity. Based upon the facts presented and for the reasons set forth below, I do not think it is permissible for you to publish an English language press summary in the United States and to offer it to the public (on either a subscription basis or free of charge) as the product of an ostensible private organization. (S)

2. It is my understanding that you wish to carry out the proposed activity under the authority of a Presidential Finding made pursuant to the Hughes-Ryan Amendment which focuses on the nationalities problem in the USSR. You would, therefore, treat this proposal as a "special activity" a term defined in Executive Order 12036 and one which (in the words of the Hughes-Ryan Amendment) is not "intended solely for obtaining necessary intelligence." You refer to no other authority under Section 1-8 of Executive Order 12036 (other than Section 1-808) as providing a basis for this activity and, based upon the facts presented, I see none. (S)

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3. "Special activities" are

activities conducted abroad in support of national foreign policy objectives which are designed to further official United States programs and policies abroad and which are planned and executed so that the role of the United States Government is not apparent or acknowledged publicly, and functions in support of such activities, but not including diplomatic activity or the collection and production of intelligence or related support functions.

Based upon the facts and circumstances, I must conclude that this proposal is not a "special activity" since it does not meet the definition of that term. It would be an activity conducted in the U.S. and "directed" primarily against U.S. persons, specifically members of the U.S. academic community. As presented it would be neither an activity conducted abroad to further United States programs and policies abroad nor a function in support of such activities. (C)

4. I have noted your statement that the proposed English language press summary would not contain any editorial or interpretative commentary. This, in itself, is not sufficient to make this a "special activity" or to authorize you to undertake the activity on any other basis. There is no indication in your memorandum that the principal purpose of the proposed activity is to distribute information or to generate publicity or otherwise encourage attention to the Soviet nationalities problem outside the United States. Furthermore, even if you were to add a statement such as this, it would not change the appearance of this as an activity directed at individuals and organizations in the United States which is being executed so that the role of the U.S. Government is not apparent or acknowledged publicly. (S)

5. You have mentioned that it is possible that in the near future your activity in New York will be moved to Munich. Although this would have the effect of making it an "activity conducted abroad," I believe questions of legality, and certainly propriety, would be raised if the primary purpose of the activity remains the distribution of an English language press summary in the U.S. directed primarily at the U.S. academic community. (S)

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6. If your purposes could be served by making use of the Joint Publications Research Service (JPRS) to translate and publish the Ukranian press summaries, we might consider alternative ways to structure this activity and perhaps make it permissible. (S)

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